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**FILED**

APR - 6 2006

LABOR AND INDUSTRIAL  
RELATIONS COMMISSION

\*ALSO LICENSED IN ILLINOIS

April 5, 2006

**VIA OVERNIGHT MAIL**

Labor and Industrial Relations Commission  
State of Missouri  
P.O. Box 599  
Jefferson City, MO 65102-1599

Re: Objection to Proposed Annual Wage Order No. 13 for Butler County

Gentlemen/Gentlewomen:

On behalf of the Carpenters' District Council of Greater St. Louis and Vicinity (hereafter "the Union") and pursuant to 8 C.S.R. 20-5.010, objection is hereby filed regarding proposed Annual Wage Order No. 13 for Butler County. A copy of proposed Annual Wage Order No. 13 was filed with the Missouri Secretary of State on March 10, 2006. This objection letter and all supporting documents are being filed in triplicate with the Commission.

The Union specifically objects to the prevailing wage set under proposed Annual Wage Order No. 13 for the occupational title of journeyman Carpenter. Proposed Annual Wage Order No. 13 fixes the basic hourly rate for this job classification at a mere \$12.75 per hour with an hourly fringe benefits package of just 48 cents.

As the attached documents plainly demonstrate, proposed Annual Wage order No. 13 does not accurately reflect the appropriate journeyman Carpenter scale for Butler County. Exhibit A is a copy of the Contractor's Report of Construction Wage Rates prepared by Miller Drywall, Inc. for work performed in Butler County between May 1, 2005 and November 30, 2005. During that time period 18 journeymen carpenters performed 3,833.5 man-hours of work for Miller Drywall in Butler County. Exhibit B is a copy of the Contractor's Report of Construction Wage Rates prepared by Drury Company which report demonstrates that it employed 5 journeyman carpenters between May 1, 2005 and November 30, 2005, who performed 153 total man-hours of work in Butler County. It should be noted that these two Contractor's Reports of Construction Wage Rates were hand-delivered to the Missouri Department of Labor Standards by Union representative Elaine Welch on January 31, 2006. You should also note that all of the journeymen carpenters reported on the two enclosed and previously submitted Contractor's Reports of Construction Wage Rates were paid the basic hourly rate of \$19.02, plus fringe benefits totaling \$8.55 per hour.

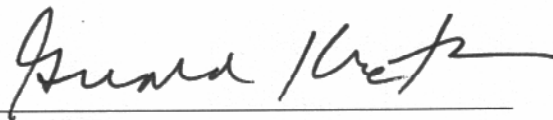
In light of the overwhelming evidence that journeymen carpenters were previously paid a total hourly rate (wages plus fringe benefits) of \$27.57, the Union objects to proposed Annual Wage Order No. 13 and requests that the Commission adjust the proposed journeyman Carpenters scale to be consistent with the rates paid by Miller Drywall, Inc. and Drury Company for journeyman carpenter work performed in Butler County.

The original and three copies of these objections are filed with the request that one file-stamped copy be returned to the undersigned, who hereby certifies that a copy of this Letter of Objection along with the enclosures have been mailed this date, postage pre-paid by U.S. mail to the Missouri Division of Labor Standards, P.O. Box 449, Jefferson City, Missouri 65102.

In view of the foregoing information and the supporting enclosures, the Union submits that proposed Annual Wage Order No. 13 in Butler County be revised to reflect the hourly wage and fringe benefits rates paid to journeyman carpenters by the two construction companies referred to above. Thank you very much for your consideration. Should you have any questions concerning this matter, I will be pleased to hear from you.

Respectfully Submitted,

APPLETON, KRETMAR, BEATTY & STOLZE

By:   
Gerald Kretmar

Attorneys for Carpenters' District Council  
of Greater St. Louis and Vicinity

cc: Missouri Division of Labor Standards  
Terry Nelson  
Elaine Welch

MISSOURI DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
DIVISION OF LABOR STANDARDS

### CONTRACTOR'S REPORT OF CONSTRUCTION WAGE RATES

Contractor's Name, Address and Telephone Number		Cost and Location of Project	
MILLER Drywall, INC. 1318 Main St. Scott City, MO 63780 (573) 264-4512		Sterling Bank County <u>BUTLER</u>	
Dates of work reported below		Description	
Beginning	Ending	Type of Construction	
<u>05, 01, 05</u>	<u>11, 30, 05</u>	<input checked="" type="checkbox"/> Building <input type="checkbox"/> Heavy <input type="checkbox"/> Highway	
Date construction began	Percent completed to date	Name and Title of Contractor's Representative or Preparer	
		(Please print or type) <u>ELAINE WEICH - P.W. Investigator</u>	

[illegible]

### Certification

To the best of my knowledge, information and belief, I hereby certify that the number of hours, basic hourly rate, and fringe benefit payments listed above are true and correct and that the type of work performed by the number of employees identified above, relative to the Occupational Title(s) reported, is consistent with 8 CSR 30-3.060. I further recognize that any false statement or declaration made herein is punishable under Section 575.060, RSMo 1994, as a class B misdemeanor.

Date 1-24-06

Elaine Welch  
(Please check appropriate box)

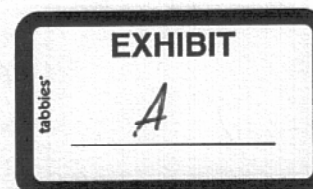
(Please check appropriate box)

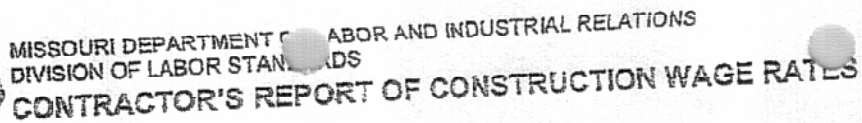
☐ Signature of Contractor's Representative who Prepared this Report☒ Signature of Preparer of this report

Mail to: Missouri Department of Labor and Industrial Relations  
DIVISION OF LABOR STANDARDS  
P.O. Box 449  
Jefferson City, MO 65102-0449

Phone: 573-751-3403  
Fax: 573-751-3721  
E-mail: [laborstandards@dolir.mo.gov](mailto:laborstandards@dolir.mo.gov)  
[www.dolir.mo.gov/lr](http://www.dolir.mo.gov/lr)

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(Please print or type)  
ELaine Welch - P.W. Investigator

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